

**REAL ESTATE BOARD  
MINUTES  
MADISON, WISCONSIN  
JANUARY 25, 2001**

**PRESENT:** James R. Imhoff, Richard Hinsman, Bettye Lawrence, and Richard Kollmansberger; Harold Lee and Jerome Nelson (by telephone)

**EXCUSED:** Nancy Gerrard

**STAFF PRESENT:** Cletus Hansen, Bill Black, Jan Neitzel and Division of Enforcement staff were present for portions of the meeting.

**GUESTS:** Debbie Conrad, WRA

**CALL TO ORDER**

The meeting was called to order at 10:17 a.m. by Jim Imhoff, Chair, upon confirmation that the public notice was timely given. A quorum of 6 members was present.

**AGENDA**

**MOTION:** Bettye Lawrence moved, seconded by Dick Hinsman, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES (12/7/00)**

**MOTION:** Dick Kollmansberger moved, seconded by Dick Hinsman, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Secretary Cummings' Report**

Secretary Cummings was not available to address the Board.

The Board wished Secretary Cummings well in her upcoming retirement.

**Bill Conway**

- On-Line Renewals

Deputy Secretary Bill Conway reported that the E-Commerce, on-line renewal by credit card was used for the first time at the end of 2000. Mr. Conway stated that there were some problems that the Department is correcting. Despite the problems that were encountered, the response by the users of the on-line renewal was favorable.

## **Clete Hansen**

- **Board Roster**

The Board received a copy of the November 2000 roster. Noted.

- **Meeting Dates for 2001**

The Board received a copy of the meeting dates for 2001. Noted.

- **Screening Statistics**

The Board received a copy of the December 7, 2000, screening statistics. Noted.

- **To-Pass Folder**

The To-Pass Folder was circulated.

- **Election of Officers**

**MOTION:** Jerry Nelson moved, seconded by Dick Kollmansberger, to re-elect Jim Imhoff as Chair, Dick Hinsman as Vice-Chair, and Hall Lee as Secretary. Motion carried unanimously.

## **ADMINISTRATIVE RULES UPDATE**

### **Clearinghouse Rule 00-105**

Clete Hansen reported that the rule changes will become effective February 1, 2001.

### **Responsibility of Officers of a Corporation and Other Supervision Issues**

The Board agreed to form a small task force consisting of 3 to 4 members and Department personnel to outline issues that are important relating to the responsibilities of officers of corporations and supervision issues. The task force will also write an umbrella rule to help the Department when investigating cases relating to supervision issues. Clete Hansen will write a scope statement so the Board can begin drafting the rule. Mr. Hansen will provide the Board with a copy of the current rule relating to broker supervision, a rule draft that was developed last year and other related documents.

## **REPORT OF THE CONTRACTUAL FORMS COUNCIL**

### **Business Listing and Offer**

The Board received the final draft of the Offer to Purchase-Business With Real Estate, the Offer to Purchase-Business-Without Real Estate and the Business Listing Contract-Exclusive Right to Sell. Noted.

### **Exclusive Listing Contract for Lease of Real Property**

The Board received the final copy of the Exclusive Listing Contract for Lease of Real Property.

**MOTION:** Jerry Nelson moved, seconded by Dick Kollmansberger, to approve the final draft of the Exclusive Listing Contract for Lease of Real Property. Motion carried unanimously.

## **REPORT OF THE COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATION**

Clete Hansen reported that the Curriculum Council will meet later in 2001 to review the contents of the pre-license curriculum and the examination. Dick Hinsman and Dick Kollmansberger reported on a meeting they attended to review the broker's pre-license education course contents.

## **LEGISLATION**

### **Reciprocity**

Clete Hansen referred to his November 30, 2000, memo, relating to reciprocity and explained that Wisconsin has a reciprocal agreement with Minnesota and that an agreement with Illinois has not been reached because of Wisconsin's broker licensing requirements.

The Board discussed the two options available to solve the reciprocity problems with Illinois.

**MOTION:** Dick Hinsman moved, seconded by Dick Kollmansberger, to request legislation that would authorize the Department and the Board to enter into reciprocal agreements. Motion carried unanimously.

## **NEW BUSINESS**

None.

## **PUBLIC COMMENT**

None.

## **MISCELLANEOUS CORRESPONDENCE**

### **WRA Legal Update—"Real Estate Office Management"**

The Board agreed that the Legal Updates of Wisconsin Realtors Association publication, are effective ways to share information with the profession.

### **The Department Internet Site**

Clete Hansen discussed the length of time that credential holder discipline can be displayed on the Department's Internet site.

## **PRESENTATION OF PROPOSED STIPULATIONS**

DOE staff presented the stipulations relating to Kathy J. Baier (Allenton, WI.), Martin L. Knuth & Kettle Moraine Realty, LTD. (West Bend, WI.), Sharon L. Kruk (Brown Deer, WI.), Joe Lemel & Lemel Homes, Inc. (Glendale, WI.), Donald C. Mastaglio (Brookfield, WI.), Raymond Van Kirk (Tomah, WI.), Christine M. Weissgerber (Hartland, WI.), Darrell G. Harding (Brookfield, WI.) and

James H. Bobeck (Madison, WI.). The Board discussed these stipulations in Closed Session and voted on them after Closed Session.

### **RECESS TO CLOSED SESSION**

**MOTION:** Dick Kollmansberger moved, seconded by Dick Hinsman, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to hold a hearing relating to an administrative warning, to discuss the issue of case status reports, case closings, stipulations, deliberations on stipulations, reconsideration of discipline and disciplinary proceedings. Motion carried unanimously by a roll call vote: Richard Hinsman-yes; Richard Kollmansberger-yes; Bettye J. Lawrence-yes; Harold Lee-yes; Jerome M. Nelson-yes; James R. Imhoff-yes. Motion carried unanimously.

Open Session recessed at 11:04 a.m.

The Board received a copy of the Division of Enforcement Case Status Report.

The Board deliberated on a hearing relating to an administrative warning, case closings, stipulations, monitoring reports, and reconsideration of discipline.

Final voting on these issues was conducted in Open Session.

### **RECONVENE IN OPEN SESSION**

**MOTION:** Dick Hinsman moved, seconded by Dick Kollmansberger, to adjourn the Closed Session and to reconvene in Open Session at 12:30 p.m. Motion carried unanimously.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **HEARING RELATING TO AN ADMINISTRATIVE WARNING**

##### **Renee L. Crothers and Affiliated Plus, Inc. (Sun Prairie, WI.)**

Renee Crothers attended the hearing. No action was required by the Board.

#### **CASE CLOSINGS**

**MOTION:** Dick Kollmansberger moved, seconded by Dick Hinsman, to close the following cases presented by the Division of Enforcement for closing. Motion carried unanimously.

00 REB 154	Insufficient evidence
00 REB 202	P3
99 REB 325	Insufficient evidence
00 REB 172	P1

## **STIPULATIONS**

**MOTION:** Dick Hinsman moved, seconded by Dick Kollmansberger, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the following disciplinary matters. Motion carried unanimously.

Kathy J. Baier (Allenton, WI.)  
Martin L. Knuth & Kettle Moraine Realty, LTD. (West Bend, WI.)  
Sharon L. Kruk (Brown Deer, WI.)  
Joe Lemel & Lemel Homes, Inc. (Glendale, WI.)  
Donald C. Mastaglio (Brookfield, WI.)  
Raymond Van Kirk (Tomah, WI.)  
Christine M. Weissgerber (Hartland, WI.)  
James H. Bobeck (Madison, WI.)

## **MONITORING REPORTS**

### **William O. Oesterich (Loyal, WI.)**

**MOTION:** Dick Hinsman moved, seconded by Bettye Lawrence, to reinstate the license of William O. Oesterich. Motion carried unanimously.

### **Eric D. Quam (Pardeeville, WI.)**

**MOTION:** Dick Kollmansberger moved, seconded by Bettye Lawrence, to reinstate the license of Eric D. Quam. Motion carried unanimously.

### **Daniel E. Kane (Greenfield, WI.)**

**MOTION:** Dick Kollmansberger moved, seconded by Dick Hinsman, to refer the information relating to Daniel E. Kane to DOE. Motion carried unanimously.

### **Craig L. Berry (Milwaukee, WI.)**

**MOTION:** Harold Lee moved, seconded by Dick Hinsman, to suspend the license of Craig L. Berry. Motion carried unanimously.

### **Brett P. Vreeke (Plymouth, WI.)**

The Board requested that a note be placed in Mr. Vreeke's file stating that his license should continue in hold status.

**MOTION:** Dick Hinsman moved, seconded by Harold Lee, to place the license of Brett P. Vreeke on hold. Motion carried unanimously.

### **Randall G. Stumpf (Pewaukee, WI.)**

**MOTION:** Harold Lee moved, seconded by Dick Hinsman, to suspend the license of Randall G. Stumpf. Motion carried unanimously.

**Thomas D. Malone (Milwaukee, WI.)**

No action was needed at this time relating to Thomas D. Malone.

**RECONSIDERATION OF DISCIPLINE**

**Linda L. Cotter (Montello, WI.) and Susan K. Kravick (Westfield, WI.)**

No action required relating to Linda L. Cotter and Susan K. Kravick.

**Richard A. Roshak (Green Bay, WI.)**

**MOTION:** Dick Hinsman moved, seconded by Dick Kollmansberger, to deny the request of Richard A. Roshak to reconsider the reprimand and the educational requirement. Motion carried unanimously.

**ADJOURNMENT**

By consensus the meeting adjourned at 12:40 p.m.